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Security Council

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Colombia, France, Germany, Morocco, Portugal, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo (DRC), especially the presidential statement S/PRST/2012/22 of 19 October 2012 and the press statements of 2 August 2012 and 17 November 2012 on the situation in eastern DRC,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the DRC and emphasizing the need to respect fully the principles of non-interference, good-neighbourliness and regional cooperation,

Reiterating its deep concern regarding the rapidly deteriorating security and humanitarian crisis in eastern DRC due to ongoing military activities of the 23 March Movement (M23),

Expressing its deep concern regarding the resumption of attacks by the M23 and the entry of the M23 into the city of Goma on 20 November 2012, as well as the continuation of serious violations of international humanitarian law and abuses of human rights law by the M23 and other armed groups,

Calling for all perpetrators, including individuals responsible for violence against children and acts of sexual violence, to be apprehended, brought to justice and held accountable for violations of applicable international law,

Reiterating its strong condemnation of any and all external support to the M23, including through troop reinforcement, tactical advice and the supply of equipment, and expressing deep concern at reports and allegations indicating that such support continues to be provided to the M23,

Expressing concern at the possible negative impact of the prevailing situation in North Kivu on the security and humanitarian situation in South Kivu,

Expressing deep concern regarding the increasing number of displaced persons and refugees in Eastern DRC caused by the resumption of the attacks of the M23,

Welcoming the efforts of the United Nations Secretary-General as well as of the International Conference on the Great Lakes Region (ICGLR), the Southern African Development Community (SADC) and the African Union, to restore peace and security in Eastern DRC,

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Welcoming the efforts of the Chair of the ICGLR in convening the Extraordinary Summits of 15 July 2012, 7-8 August 2012, 8 September 2012 and 8 October 2012 to address the situation in Eastern DRC,

Stressing the primary responsibility of the Government of the DRC for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Calling on all parties to cooperate fully with the United Nations Organization Stabilization Mission in the DRC (MONUSCO) and *reiterating* its condemnation of any attacks against peacekeepers,

Determining that the situation in the DRC constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Strongly condemns* the resumption of attacks by the M23 in North-Kivu and the entry of the M23 into the city of Goma on 20 November 2012;

2. *Demands* the immediate withdrawal of the M23 from Goma, the cessation of any further advances by the M23 and that its members immediately and permanently disband and lay down their arms, and *further demands* the restoration of State authority of the Government of the DRC in Goma and in North-Kivu;

3. *Strongly condemns* the M23 and all its attacks on the civilian population, MONUSCO peacekeepers and humanitarian actors, as well as its abuses of human rights, including summary executions, sexual and gender based violence and large scale recruitment and use of child soldiers, *further condemns* the attempts by the M23 to establish an illegitimate parallel administration and to undermine State authority of the Government of the DRC, and *reiterates* that those responsible for crimes and human rights abuses will be held accountable;

4. *Expresses* deep concern at reports indicating that external support continues to be provided to the M23, including through troop reinforcement, tactical advice and the supply of equipment, causing a significant increase of the military abilities of the M23, and *demands* that any and all outside support to the M23 cease immediately;

5. *Requests* the Secretary-General to report in the coming days, in coordination with the ICGLR and the African Union (AU), on the allegations of external support to the M23 and *expresses* its readiness to take further appropriate measures on the basis of this report;

6. *Calls on* the ICGLR to monitor and inquire into, including by making active use of the Expanded Joint Verification Mechanism (EJVM), reports and allegations of outside support and supply of equipment to the M23, and *encourages* MONUSCO, in coordination with ICGLR members, to participate, as appropriate and within the limits of its capacities and mandate, in the activities of the EJVM;

7. *Expresses* concern that M23 commanders Innocent Kaina and Baudouin Ngaruye are engaging in activities for which the Committee established pursuant to resolution 1533 (2004) may designate individuals pursuant to paragraph 4 of resolution 1857 (2008), and *directs* the Committee to review, as a matter of urgency, their activities and those of any other individuals who meet the criteria for designation;

8. *Expresses* its intention to consider additional targeted sanctions, in accordance with the criteria set out in resolution 1857 (2008), against the leadership of the M23 and those providing external support to the M23 and those acting in violation of the sanctions regime and the arms embargo, and *calls on* all Member States to submit, as a matter of urgency, listing proposals to the 1533 Committee;

9. *Requests* the Secretary-General to report in the coming days on options, and their implications, for the possible redeployments, in consultation with troop- and police-contributing countries, of MONUSCO contingents and additional force multipliers, observation capabilities and troops within the current authorized ceiling, which, in regard to the current crisis, could improve the ability of MONUSCO to implement its mandate, including to protect civilians and report on flows of arms and related materiel across the borders of Eastern DRC, and in this context *expresses* its intention to keep the mandate of MONUSCO under review;

10. *Calls on* all relevant actors to use their influence on the M23 to bring about an end to attacks;

11. *Calls on* all parties, in particular the M23, to allow safe, timely and unhindered humanitarian access to those in need in accordance with international law, including applicable international humanitarian law and the guiding principles of humanitarian assistance, and to refrain from any violence against civilians;

12. *Calls upon* all parties to respect the civilian and humanitarian character of refugee camps and internally displaced persons sites and *stresses* the need to prevent any forced recruitment of individuals, including children by parties to the conflict;

13. *Commends* the active steps taken by MONUSCO to implement its mandate, in particular the protection of civilians, *further commends* in this regard the tireless efforts of all MONUSCO contingents, particularly in and around Goma, and encourages the continuation of their efforts;

14. *Emphasizes* that any attempts to undermine MONUSCO's ability to implement its mandate will not be tolerated and *condemns* all individuals and entities who plan, sponsor or participate in attacks against MONUSCO;

15. *Welcomes* and *emphasizes* the importance of the continuation of the efforts of the ICGLR, the Southern African Development Community (SADC) and the AU to resolve the conflict and find a durable political solution, and *calls on* them and States of the region to coordinate their efforts in order to bring about an end to attacks, stabilize the situation and facilitate dialogue between relevant parties;

16. *Welcomes* the designation of Boubacar Gaoussou Diarra as Special representative of the African Union for the Great Lakes region, *requests* the United Nations Secretary-General to report to the Council on options for high-level dialogue between relevant parties to address short-term and long-term causes underlying the political, security and humanitarian crises in Eastern DRC, including the option of the possible designation of a special envoy, and *further requests* the Secretary-General to report to the Council in the coming days on the evolution of the crisis and on diplomatic efforts, including his own;

17. *Emphasizes* the primary responsibility of the Government of the DRC to reinforce State authority and governance in Eastern DRC, including through

effective security sector reform to allow army and police reform, and to end impunity for abuses of human rights and violations of international humanitarian law, and *urges* the Government of the DRC to increase efforts to provide security, reform the security sector, protect civilians and respect human rights;

18. *Decides* to remain actively seized of the matter.